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### NOTES OF CASES.

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**Telephone Communications in Evidence.**—The question as to when telephonic communications may be admitted in evidence (see article in 13 Va. Law Reg. 665), is daily growing in importance, as is evidenced by two recent decisions from courts of high standing. Thus it was held in *Knickerbocker Ice Co. v. Gardiner Dairy Co.* (Md.) 69 Alt. 405, that evidence that witnesses telephoned to defendant's place of business and ordered ice, which was received, was admissible against defendant, though the witness could not identify and did not recognize the voice of the person who answered the telephone.

In *Barrett v. Magner*, 117 Northwestern Reporter, 245, decided by the Supreme Court of Minnesota, a witness testified that he secured telephone connection with the place of business of a party; that some one answered, and stated that the person wanted was not in, but would be called, and that soon thereafter another voice answered, and a conversation took place respecting a business transaction. The conversation was admitted in evidence in view of the fact that the witness further stated that the talk over the telephone was of the same character as one occurring a few days previous in a personal conversation between the same parties.

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**Action against Husband by Wife.**—The report of the case of *Copp v. Copp*, 68 Atlantic Reporter, 458, decided by the Supreme Judicial Court of Maine, discloses an attempt on the part of a wife to collect from her husband on a claim for labor as a cook in his logging camp. Plaintiff also sought to establish a lien on certain logs. The court held that no judgment could be obtained by a wife against her husband, and sustained a demurrer to the declaration.

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**Compelling Answers to Questions of Interstate Commerce Commission.**—In the interrogation of Mr. Harriman during an investigation by the Commerce Commission, he refused to answer the questions asked him concerning his operations. In *Interstate Commerce Commission v. Harriman et al.*, 157 Federal Reporter, 432, it was contended that Congress had no power to make such investigation or to delegate any such power to the Commission. The United States Circuit Court held that respondents should be compelled to answer the questions propounded, saying: "No person or company can engage in any commercial occupation without capital, and the management and investment thereof is as much a commercial instrumentality as is a locomotive or an engineer, and that the power of Congress extends over all instrumentalities of commerce is no longer doubtful. To me it seems clear that financial regulation of corporations engaged in interstate commerce is a regulation of that commerce by regulating its most potent instrumentality.